



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Vehicles Parked for Sale on Lakeshore Drive South of Kettleman Lane

MEETING DATE: August 21, 1996

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council review the following report and adopt a resolution approving the installation of a no-parking zone on Lakeshore Drive from Kettleman Lane to 200 feet south of Kettleman Lane.

BACKGROUND INFORMATION: The following report, related to vehicles parked for sale, has been prepared at Council's request from its July 3 1996 meeting. Although the request focused on a specific location, Lakeshore Drive at Kettleman Lane, we have received complaints about other locations, including portions of Lower Sacramento Road, Lockeford Street west of Ham Lane, and Elm Street west of Lower Sacramento Road. No-parking zones have been installed at other locations with the exception of the vehicles parked on Lockeford Street and on Elm Street, which were adjacent to traffic signals and, therefore, illegal. The following report consists of current regulations regarding vehicles parked for sale on public streets, existing conditions, discussion of available options, and recommended action.

Current Regulations

The parking of vehicles for sale within the City limits is currently regulated under Section 10.44.040 of the Lodi Municipal Code (**Exhibit A**). Subsection C of this Code section indicates it is unlawful to park any vehicles, vessels, or trailers for sale on any public street within 200 feet of any intersection controlled by a traffic signal or four-way stop. This action was taken based on Council's declaration that displaying these vehicles constitutes a traffic hazard by distracting the attention of passing motorists and pedestrians away from other traffic moving through these intersections. Although not applicable to Lakeshore Drive, the parking of any vehicle or structure for sale on state highways, such as Kettleman Lane, is prohibited under Section 731 of the Streets and Highway Code. The basis of this restriction is that these vehicles and structures create a public nuisance.

Existing Conditions

Lakeshore Drive is a residential street extending south of Kettleman Lane. The land use is primarily residential with Kettleman Lane and approximately 305 feet of Lakeshore Drive frontage zoned for offices. State Farm Insurance Company occupies the property on the east side and the west side is undeveloped (**Exhibit B**). Traffic volumes on Kettleman Lane and Lakeshore Drive are approximately 25,000 and 2,500 vehicles per day, respectively. Available accident records from 1993 through July 1996 indicate there have been no accidents along the segment of Lakeshore Drive south of Kettleman Lane and two accidents at the intersection of Kettleman Lane and Lakeshore Drive. Neither accident appears to be related to distractions caused by vehicles for sale, such as failing to stop at the stop sign.

APPROVED:

H. Dixon Flynn, City Manager

Staff has field checked this location on several occasions and has generally observed a few vehicles displayed for sale on weekdays; however, the number varies and there are more parked on weekends. The vehicles observed were parked near the intersection in front of the area zoned for offices. This situation on Lakeshore Drive is similar to problems reported last year on nearby Sylvan Way south of Kettleman Lane. Based on complaints related to vehicles parked for sale, no-parking zones were installed in August 1995 along both sides of Sylvan Way south of Kettleman Lane. Although this action removed vehicles for sale on Sylvan Way, it may be the reason for the recent complaints on Lakeshore Drive. It is not uncommon for vehicles displaced due to parking restrictions to move to nearby unrestricted areas that can offer similar public exposure.

Options

The following three options have been reviewed regarding vehicles parked for sale on Lakeshore Drive south of Kettleman Lane:

A. Take no action

This option will allow vehicles for sale to continue to park in this area. Accident records do not indicate a problem and parking demand in the area is low.

B. Install a no-parking zone and continue to review complaints on a case-by-case basis

This option is currently being used when addressing complaints regarding vehicles for sale on public streets, unless enforceable under the current restriction (parked within 200 feet of a traffic signal or four-way stop). This option would be to install a no-parking zone along all or a portion of three parcels zoned for offices located on both sides of Lakeshore Drive south of Kettleman Lane. The length of the no-parking zone could either reflect the 200-foot distance established by the existing ordinance, or the entire 305 feet of frontage on each side, minus the driveways (**Exhibit C**).


C. Modify Lodi Municipal Code Section 10.44.040 (C) to prohibit the parking of vehicles for sale within 200 feet of any intersection, with the exception of intersections with alleys, regardless of the type of traffic control (**Exhibit D**).

The current restriction prohibits parking within 200 feet of any intersection controlled by a traffic signal or four-way stop. Mid-block parking would not be covered by this ordinance. The basis of this modification is that distractions created by vehicles parked for sale near any intersection have the potential for problems. Even though intersections of streets controlled by traffic signals and four-way stop signs tend to carry more traffic at higher speeds, they also represent the most restrictive types of intersection control since drivers on both streets are affected. At locations such as Lakeshore Drive where major street traffic is not controlled, drivers on Lakeshore Drive who fail to stop would not only be entering a street with high traffic volumes and vehicle speeds, they would also not benefit from the intermittent stoppage of vehicles on the cross street. This situation is potentially worse than at a signal or four-way stop intersection. There may also be a reduced degree of safety at intersections where only one street is controlled because drivers on the uncontrolled street would not be as alert to side-street traffic since their direction of travel is not affected at the intersection. In addition, drivers may slow down unexpectedly to view vehicles for sale. Based on these factors, distractions may have as much or more potential for problems at intersections where only one street is controlled.

While enforcement of this restriction is fairly straightforward, there is a problem with public notice. The ordinance does not require signage, which would be impractical at all intersections; thus, the public is not "on notice" of the restriction.

While there are relatively few complaints received regarding vehicles parked for sale, we do expect an increase as more development occurs along streets, such as Lower Sacramento Road, west Turner Road and their cross streets. Locations such as these are popular due to the amount of exposure to passing traffic. The advantage of modifying the existing ordinance over installing a no-parking zone is that only vehicles displayed for sale within 200 feet of intersections would be illegal. Parking of other vehicles would continue to be permitted. Vehicles parked over 200 feet from intersections would continue to require Council action to install no-parking zones. However, parking along Lower Sacramento Road will likely be restricted and the relatively few cross streets can be handled on a case-by-case basis. Staff is recommending Option B, red curb. If Council wishes to adopt the modified ordinance, its action at this meeting should be to direct staff to prepare an agenda item to introduce the ordinance.

FUNDING: If Option B is selected, funding to install 200 feet of no-parking zone will come from the Street Maintenance Account at an approximate cost of \$300. Other than staff time, there is no material cost associated with Options A or C.



Jack L. Ronsko
Public Works Director

Prepared by Rick S. Kiriou, Senior Engineering Technician

JLR/RSK/lm

Attachments

cc: City Attorney
Police Chief
Street Superintendent
Associate Traffic Engineer
Affected Property Owners and Tenants

**10.44.040 Parking for certain
 purposes prohibited—
 Display of "For Sale" signs
 on vehicles, vessels or
 trailers—Restrictions.**

A. It is unlawful to park upon any public street, right-of-way or public property any vehicle, vessel or trailer displaying a sign advertising such vehicle, vessel or trailer for sale which exceeds one square foot in size, or displaying more than one such sign, or to attach to or otherwise affix to such vehicle, vessel or trailer any other sign, banner, pennant, balloon or other device, intended to call attention to the fact that such vehicle, vessel or trailer is offered for sale.

B. It is unlawful for any person or firm to have parked contemporaneously on the public streets or rights-of-way anywhere within the city, three or more vehicles, vessels or trailers displaying a sign or signs indicating or advertising such vehicle, vessel or trailer for sale, irrespective of the proximity of such vehicles, vessels or trailers.

C. Notwithstanding subsection A of this section, it is unlawful to park upon any public street, right-of-way or public place within two hundred feet of any signalized intersection or four-way stop sign, any vehicle, vessel or trailer displaying a sign advertising such vehicle, vessel or trailer for sale, irrespective of the size or number of such signs. The city council finds and declares that vehicles, vessels or trailers parked within two hundred feet of a signalized intersection or four-way stop sign, and displaying such signs, constitute a traffic hazard by distracting the attention of passing motorists and pedestrians away from other traffic moving through and about such intersections. For purposes of this section, "signalized intersection" means any intersection controlled by a traffic signal.

D. It is unlawful for any person or firm, upon property belonging to another, to park or display within thirty feet of the adjacent public street or right-of-way as measured from the rear edge of the curb, gutter or sidewalk, or from the edge of the pavement if no curb, gutter or sidewalk exists, any vehicle, vessel or trailer displaying a sign or signs advertising it for sale, without first obtaining the express consent of the owner or person having control of such property. This section shall not apply to any private property appropriately zoned and licensed for the sale, repair, or storage of such vehicles, vessels or trailers.

E. It is unlawful upon any public street, right-of-way or public property to park any vehicle, vessel or trailer for the purpose of painting, greasing, or repairing such vehicle, vessel or trailer except for emergency repairs.

F. It is unlawful to park any vehicle, vessel or trailer upon any public street or right-of-way for the purpose of washing or polishing such vehicle, vessel or trailer or any part thereof when a charge is made for such service. (Ord. 1450 § 1, 1989)

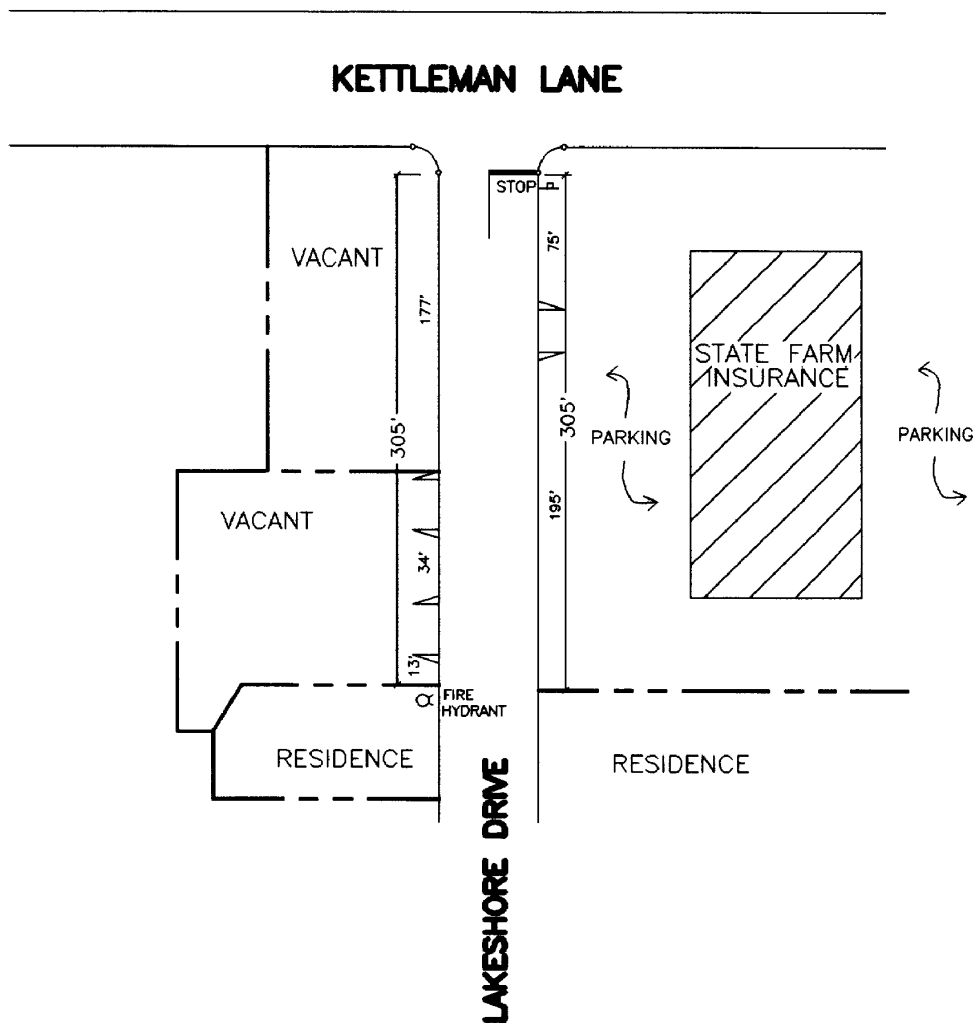


CITY OF LODI

PUBLIC WORKS DEPARTMENT

LAKE SHORE DRIVE S/ KETTLEMAN LANE

EXISTING CONDITIONS



10.44.040

**Parking for certain purposes prohibited -
Display of "For Sale" signs on vehicles,
vessels, or trailers - Restrictions.**

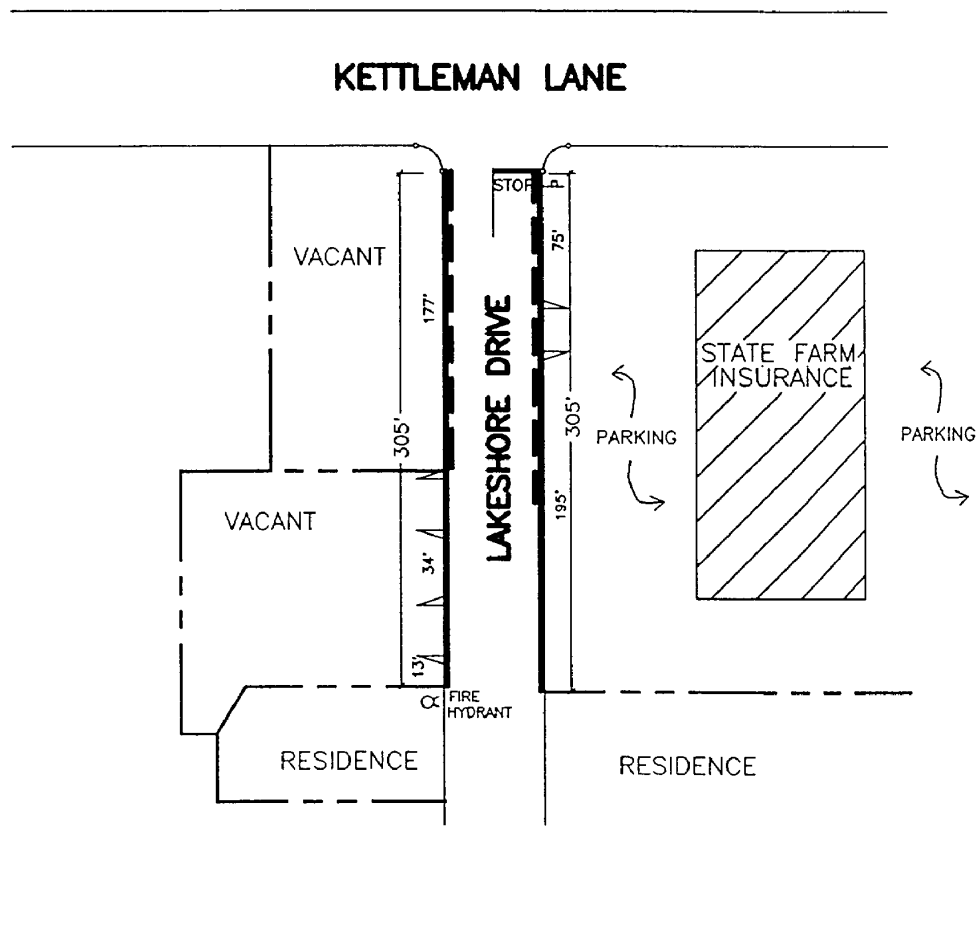
C. Notwithstanding subsection A of this section, it is unlawful to park upon any public street, right-of-way or public place within two hundred feet of any ~~signalized intersection~~ with the exception of intersections with alleys or four-way stop sign, any vehicle, vessel, or trailer displaying a sign advertising such vehicle, vessel or trailer for sale, irrespective of the size or number of such signs. The City Council finds and declares that vehicles, vessels or trailers parked within two hundred feet of ~~a signalized~~ an intersection or four-way stop sign, and displaying such signs, constitutes a traffic hazard by distracting the attention of passing motorists and pedestrians away from other traffic moving through and about such intersections. ~~For the purpose of this section, "signalized intersection" means any intersection controlled by a traffic signal.~~

**CITY OF LODI**

PUBLIC WORKS DEPARTMENT

**LAKE SHORE DRIVE
S/ KETTLEMAN LANE**

PROPOSED NO PARKING

LEGEND

- 200 FEET NO PARKING
— 305 FEET NO PARKING

CITY COUNCIL

DAVID P. WARNER, Mayor
PHILLIP A. PENNINO
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JACK A. SIEGLOCK

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710

H. DIXON FLYNN
City Manager
JENNIFER M. PERRIN
City Clerk
RANDALL A. HAYS
City Attorney

August 14, 1996

SEE MAILING LIST ATTACHED

SUBJECT: Vehicles Parked for Sale on Lakeshore Drive
South of Kettleman Lane

Dear Property Owner/Tenant:


Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, August 21, 1996, at 7 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular calendar for Council discussion. You are welcome to attend.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to the City Clerk at 221 West Pine Street.

If you wish to address the Council at the Council meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Rick Kiriu, Senior Engineering Technician, at (209) 333-6706.



Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk

STATE FARM AUTO INS CO
CORP TAX DEPT R
1 STATE FARM PLAZA
BLOOMINGTON IL 61710-0001 }

}PROPERTY OWNER

}AND

ATTN MANAGER
STATE FARM INS CO
1600 W KETTLEMAN LN
LODI CA 95242

}TENANT - 1600 W KETTLEMAN LN

MR DAVID J HENDRICK TR
2249 ROGUE RIVER DR
SACRAMENTO CA 95826

}PROPERTY OWNER - 1750 W KETTLEMAN LN

TAJ & SHAKILA KHAN
1112 RIVERGATE DRIVE
LODI CA 95240

}PROPERTY OWNER - 1423 S LAKESHORE DR

RESOLUTION NO. 96-116

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING A NO PARKING ZONE DISALLOWING ONLY "VEHICLES FOR SALE"
ON LAKESHORE DRIVE FROM KETTLEMAN LANE TO 200 FEET SOUTH OF
KETTLEMAN LANE, ON BOTH THE EAST AND WEST
SIDES OF LAKESHORE DRIVE

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BE IT RESOLVED, that the Lodi City Council does hereby approve the installation of a "No Parking" zone disallowing only "Vehicles for Sale" on Lakeshore Drive, from Kettleman Lane to 200 feet south of Kettleman Lane, on both the east and west sides of Lakeshore Drive as, shown on Exhibit A attached hereto and made a part hereof.

Dated: August 21, 1996

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I hereby certify that Resolution No. 96-116 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 21, 1996, by the following vote:

AYES: COUNCIL MEMBERS - Davenport, Pennino, Sieglock
and Warner (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - Mann

ABSTAIN: COUNCIL MEMBERS - None


JENNIFER M. PERRIN
City Clerk

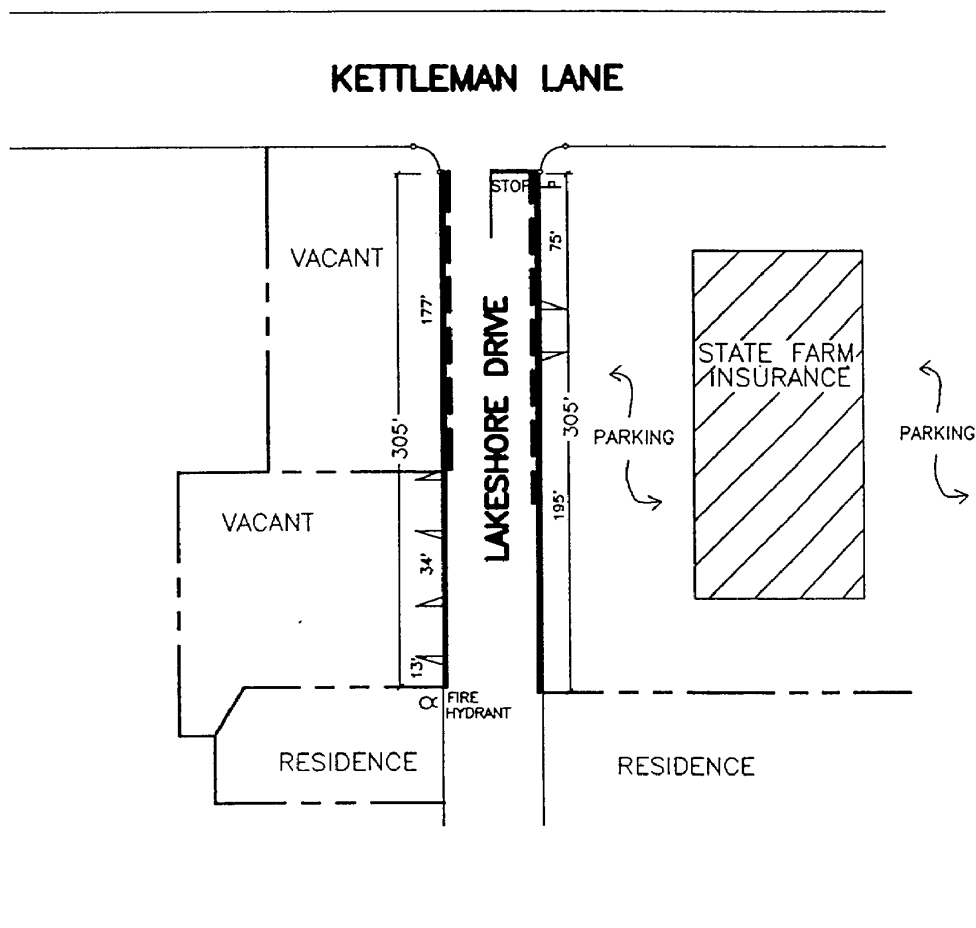


CITY OF LODI

PUBLIC WORKS DEPARTMENT

LAKE SHORE DRIVE S/ KETTLEMAN LANE

PROPOSED NO PARKING



LEGEND

- 200 FEET NO PARKING
- 305 FEET NO PARKING